

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:)	
Gary T. NEEL et al.)	Group Art Unit: 3686
Application No.: 10/764,974)	Examiner: Woods, Teresa S.
Filed: January 26, 2004)	Confirmation No.: 9318
For: MEDICAL DIAGNOSTIC TESTING)	VIA EFS WEB
DEVICE WITH VOICE MESSAGE)	
CAPABILITY)	

Mail Stop After Final
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-14500

NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31

Sir:

Applicant appeals to the Board of Patent Appeals and Interferences from the
Examiner's decision mailed August 17, 2010.

The item(s) checked below are appropriate:

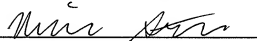
1. ☒ Applicant petitions for a one month extension of time, based on the mailing date of the outstanding Office action. The petition fee of \$130.00 is enclosed.
2. ☒ The Notice of Appeal Fee of \$540.00 is enclosed.
3. ☒ A pre-appeal brief conference is requested. The request and supporting documentation are attached.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 9, 2010

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